

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 05-10153-GAO
)	
JIANGYU ZHU and)	
KAYOKO KIMBARA)	

ASSENTED-TO MOTION FOR MODIFICATION
OF RELEASE CONDITIONS

Pursuant to 18 U.S.C. § 3142(c)(3), Dr. Jiangyu Zhu and Dr. Kayoko Kimbara move for modification of their respective release conditions. As grounds for this motion, defendants state that they have reached a Pretrial Diversion Agreement with the government, which provides for dismissal with prejudice of the pending indictment after 12 months, if the defendants satisfy the conditions of the agreement.

In light of this resolution of the case, Assistant U.S. Attorney Michael Pineault has stated that he assents to the following modifications of the conditions now in place:

- 1) release upon personal recognizance;
- 2) deletion of the condition requiring surrender of passports; and
- 3) removal of all travel restrictions

For the foregoing reasons, the defendants request that this Court modify the conditions, as set forth above and order the discharge of both the cash bail and property posted as security for their release, including all accrued interest, and order the return of their passports.

Chief Pretrial Services Officer John R. Riley has stated that he assents to this motion.

JIANGYU ZHU

By his attorney,

/ s / Miriam Conrad

Miriam Conrad

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KAYOKO KIMBARA

By her attorney,

/s / Dan Marmalefsky

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 14, 2006.

/s/ Miriam Conrad

Miriam Conrad